



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Henry R. Darwin
Director

June 17, 2015

Re: Evaluation of Expanded Delegation of A.A.C. R18-9-A316,

The Arizona Department of Environmental Quality (ADEQ) asked for your feedback on a Draft Amendment to expand the delegation of Arizona Administrative code (AAC) R18-9-A316 regarding the Notice of Transfer (NOT) of Ownership Inspection for On-site Wastewater Treatment Facilities (septic systems). ADEQ received feedback from many counties that the amendment as proposed was not acceptable.

Additionally, Governor Ducey has requested that all state agencies evaluate their rules, with recommendations for which rules could be amended or repealed consistent with the priorities and principles of Executive Order 2015-01. Executive Order 2015-01 continues a moratorium on rulemaking, unless the rulemaking promotes factors such as economic development or reducing a regulatory burden without reducing the regulatory objective.

With these two factors, we evaluated the environmental benefit of the NOT program. After careful review and analysis, ADEQ is requesting your input on a plan to:

- Eliminate the state NOT program, and
- Transition responsibility of an NOT program to interested counties in the next 12 to 18 months.

A listening session at ADEQ is planned for Friday, July 17, 2015, from 9 am to 11:00 am to begin discussing and gathering input for plan development. We understand that each county will have differing needs and issues and assure you that ADEQ is committed to working for a best fit transition plan. Please contact Lorena Ayala at (602) 771-2212 or by e-mail at Ayala.Lorena@azdeq.gov to RSVP for the July meeting. We look forward to your input.

Sincerely,

Sherri L. Zendri
Administrative Counsel

Cc. Trevor Baggione, Director, Water Quality Division
Amanda Stone, Director Southern Regional Office